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Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Tenth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Holy See

1. The Committee considered the initial report of the Holy See (CRC/C/3/Add.27) at its 255th and 256th meetings (CRC/C/SR.255 and 256), held on 14 November 1995, and adopted* the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the Holy See for its initial report, although, due to the particular nature of the State party, it did not follow the Committee's guidelines. It also expresses its appreciation for the frank and open dialogue engaged with a high-level delegation. The Committee takes note of the answers given to the questions raised by members and the documentation provided to the Committee during the discussion, which enabled the Committee to better assess the role of the Holy See in the implementation of the Convention.

B. Positive factors

3. The Committee welcomes the efforts of the State party with a view to encouraging universal ratification of the Convention.

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* At the 259th meeting, held on 17 November 1995.

4. The Committee welcomes the State party's recognition of the important role the Holy See and its constituencies could play throughout the world to achieve the aims and objectives of the Convention. The Committee takes note of the network of institutions and structures set up by the Holy See for the welfare of children, such as the Pontifical Council for the Family, the Congregation for Catholic Education, the Pontifical Council for Pastoral Assistance to Health Care Workers and the Pontifical Missionary Society of the Holy Childhood.

5. The Committee notes the positive efforts made by the State party to disseminate and translate the Convention worldwide and welcomes its readiness to cooperate actively with and to provide assistance to other States parties in that regard.

6. It welcomes the decision taken by the Pontifical Council for the Family, as a concrete contribution to the International Year of the Family, to set up shelters for street children in Brazil, the Philippines and Rwanda.

C. Principal subjects of concern

7. The Committee is concerned about reservations entered by the Holy See to the Convention on the Rights of the Child, in particular with respect to the full recognition of the child as a subject of rights.

8. The Committee is concerned that discrimination between children may arise in Catholic schools and institutions, in particular with regard to gender.

9. The Committee is concerned at the insufficient attention paid to the promotion of education of children on health matters, the development of preventive health care, guidance for parents and family planning education and services, in the light of the provisions of the Convention.

D. Suggestions and recommendations

10. In the spirit of the final document of the World Conference on Human Rights, the Committee wishes to encourage the State party to consider reviewing its reservations to the Convention with a view to withdrawing them.

11. In view of the moral influence wielded by the Holy See and the national Catholic Churches, the Committee recommends that efforts for the promotion and protection of the rights provided for in the Convention be pursued and strengthened. In that regard, the Committee wishes to underline the importance of wide dissemination of the principles of the Convention and its translation into languages spoken throughout the world, and recommends to the State party to continue to play an active role to that end.

12. The Committee emphasizes the need for professionals and voluntary workers involved in the education and protection of children to receive adequate training and education, taking into account the principles set forth in the Convention. The Committee also recommends that the Convention be included in

the curricula of Catholic schools. In this respect, it is the view of the Committee that the teaching methods used in schools should reflect the spirit and philosophy of the Convention and the aims of education laid down in its articles 28 and 29.

13. The Committee recommends that the position of the Holy See with regard to the relationship between articles 5 and 12 of the Convention be clarified. In this respect, it wishes to recall its view that the rights and prerogatives of the parents may not undermine the rights of the child as recognized by the Convention, especially the right of the child to express his or her own views and that his or her views be given due weight.

14. It also recommends that the spirit of the Convention and the principles set forth therein, in particular the principles of non-discrimination, of the best interests of the child and of respect for the views of the child, be fully taken into account in the conduct of all the activities of the Holy See and of the various Church institutions and organizations dealing with the rights of the child.